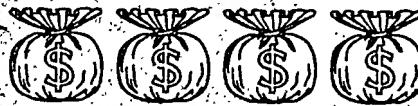


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HOW

Liberal Members of the Saskatchewan Legislature were Bought



*Shameless Representatives
of People Sold Themselves
for a Few Hundred Dollars
to Thwart the Popular Will*

The Old Gang Still Controls



THE STORY of the bribing of a number of Liberal members of the Legislative Assembly to oppose the Banish-the-Bar bill in December, 1913, is the story of what is undoubtedly the most disgraceful incident in the political life of Canada. It is not uncommon to hear of electors being bribed to support a candidate, but to find members of the Legislature selling themselves for a few hundred dollars to oppose certain legislation, is without a precedent in Canadian public life. But it is, unfortunately, only one incident in an epoch of graft and general corruption.

HOW IT ALL BEGAN

The agitation for the banishment of the bar, conducted by the Committee of One Hundred, had, in 1913, attained great strength. It seemed as though the Scott government would be compelled to yield to its request; but the administration not caring to throw down the liquor men, to whom it was under heavy obligations, temporized with the contending forces, and introduced a bill which, as it contained features that rendered it unfavorable to the temperance forces, seemed to be a movement to gain time. In this state of affairs the liquor interests saw their opportunity. Thoroughly alarmed, the executive of the Licensed Victuallers' Association decided to take action. A committee consisting of Frank Brunner, Clayton Peterson and Secretary C. E. Willson was appointed to take whatever measures they might see fit to fight the bill and to use the funds of the association for that purpose.

BROWN-ELWOOD COMMISSION

There can be no question about money having been raised to bribe the members and that they received it. All doubt on this point has been settled by the report of the Brown-Elwood Commission. The Commissioners found that in December, 1913, large sums had been withdrawn from the funds of the Licensed Victuallers for the purpose of being used to influence members of the Legislature in connection with the liquor legislation then under consideration. They found that Clayton Peterson and Frank Brunner were the most active agents in the use of money, although undoubtedly it was used with the tacit knowledge and approval of several members of the Licensed Victuallers' Association, most particularly R. G. Waddell, R. J. Barry and G. E. Sharpe. They found that Pierce and Cawthorpe had been bribed, having received large sums each; in the case of Simpson the charge was not proved; over Ens they disagreed; Commissioner Brown being for acquittal, while Commissioner Elwood reported against him. No direct evidence was found against Nolin, Totzke, Sheppard and Lochead. For his part in the affair Pierce is now serving a term in Regina jail.

PETERSON HAD THE PULL

A great deal of dependence was placed upon Peterson because of his high position in the councils of the Liberal party, and because of the fact that the great majority of the Liberal members of the Assembly stayed at his hotel, the Clayton, in Regina. Peterson soon got to work, but it soon became evident that the job would cost considerable money. He first asked for \$1,000, which he got on December 11th, then \$4,000, which was also duly paid on December 12th, then another \$5,000 was paid over when the bill had been withdrawn on December 19th. The first and second payments were readily made, but when the demand for the last \$5,000 was made there was no money left in the treasury. According to Brunner, Peterson said that their "faces were good for the amount," and that it had to be got. The arrangements were that when the bill was withdrawn Pierce was to phone down to Brunner, who was to produce the money. On the morning of December 19th, Pierce phoned Brunner, remarking, "You can 'get that ready," and adding that he would be right down. Brunner had seen to that. Earlier in the day he and Peterson had made arrangements with Manager Smith, of the Bank of Ottawa, for \$5,000, signing a note for it, and the money had been paid over and given to Peterson.

PETERSON GOT THE MONEY

It is beyond dispute that Peterson got this money. True, he denies it; but he has since been convicted for perjury. Besides, the Brown-Elwood Commission has reported that he was an active agent in the use of the money. Against his evidence is that of Brunner, Bert Acaster, G. Waddell, J. H. Barry and G. E. Sharpe. Acaster, who was president of the Licensed Victuallers' Association when the Banish-the-Bar bill was before the Legislature, has sworn that between December 9th and 19th, 1913, about \$10,000 of the Association's money was withdrawn from the bank. Then there is the bank book of the Association which shows that on November 29th, 1913, there was a balance of \$2,086; deposits of \$6,300 made between that date and prior to December 22 brought the credit balance up to \$8,386; on December 22 there was a debit balance of \$4,504, which means that \$12,890 had been withdrawn in less than one month. The stubs in the cheque book of the Association show that the money was paid.

Peterson, who was bold enough to take charge of buying members, seems to have been equally resolute when the likelihood of having to take measures to cover up his tracks came to be discussed. News of what had been done got around, so that Peterson with others began to be alarmed, and among other things an attempt was made to get hold of the books of the Association. Brunner and Peterson took a trip to Saskatoon in order to talk the situation over with Barry, and of Peterson's remarks there Brunner swore as follows: "He (Peterson) said we had to see that nothing comes out, and we went to Saskatoon and saw Barry, and Peterson said, 'If the worst comes to the worst I'll tell them that I stole the money.'" Barry confirmed this statement.

THE MEMBERS GOT THE MONEY

Who got the money? In his evidence before the Select Committee of the Assembly and before the Brown-Elwood Commission, Brunner implicated Messrs. Pierce, Cawthorpe, Ens, Lochead, Sheppard, Simpson, Nolin and Totzke. He swore that when Peterson got the first \$1,000 the latter said he had made arrangements with Pierce, Nolin, Cawthorpe and Simpson and that he wanted to buy them a little Christmas box. When the next amount, \$4,000, was paid, Brunner says Peterson remarked, "the boys are doing fine work."

Brunner swore that in a room of the Clayton hotel, he saw Peterson hand Simpson a roll of bank notes, supposed to contain \$500, with the remark, "Here, Sid, here's your Christmas box." As for George Ens, Brunner swore that he personally paid him. The ex-member for Rosthern, who was Liberal whip in December, 1913, seems to have been overlooked when the money was going around, and so after the bill had been withdrawn he went to Brunner and complained, saying that he was one of the best friends that the hotel men ever had. Brunner said he got \$500 and personally paid Ens in the Metropole hotel, Regina.

Commissioner Elwood reports that, in his opinion, Ens received the money. He says: "It is quite true that no person saw him pay the money over to Ens; but the circumstances, to my mind, all lead to the conclusion that he did pay it, particularly if the evidence in connection with the subsequent conversation which Ens had with Barry, and to which I have referred, is considered. I, therefore, find that Ens did receive the \$500 from Brunner, and as stated by Brunner." The conversation took place during March, 1914, when Ens, congratulating Barry on being elected president of the Licensed Victuallers' Association, said, "I am the Liberal whip at Regina. I will keep you posted if anything should occur again, but it might cost you more than last time."

Forsyth, of Souris, who also went to Brunner after the event, was not so fortunate. Brunner swore, "Mr. Forsyth came to me the following spring, in 1914, and asked me why he didn't get any of the money, and said he knew all about it, and that the other members had got it." But the ghost did not walk.

WAS PIERCE "SHORT-CHANGED?"

Pierce, who was an unblushing crook, not only told Brunner that he had got money, but complained that Peterson had tried to "short-change" him; that is, had given him only 25 instead of 50 \$10 bills; but it was understood that this had been fixed up. As for Cawthorpe, Brunner swore, "Cawthorpe told me he got his money all right. He told me he got \$250 and \$250 later. He said Peterson had given it to him."

George Sharpe, of Gull Lake, a member of the Licensed Victuallers' executive, in his evidence before the Select Committee, said that on one occasion he had asked Peterson who got the money, and the latter read him over a list of names which included Sheppard, Simpson, Lochead and Totzke.

On this point Brunner swore as follows:

"Peterson mentioned J. A. Sheppard (Moose Jaw) and A. F. Totzke (Vonda)."

Q. When was that?

A. That was when I gave him the \$4,000. The names were mentioned together. I asked him how many were to get any money, and he said Sheppard, Lochead and Totzke. He said Totzke was to get \$500, Lochead \$1,000 and Sheppard \$1,000, and he had to give the other fellows some, too.

Q. Did Peterson ever tell you he had given \$1,000 to any member or members?

A. He told me that the \$1,000 was split between Pierce, Nolin, Cawthorpe and Simpson. He told me that the night I gave him the \$1,000.

In his evidence before the Select Committee, R. J. Barry said that on one occasion he had met George Bell, of Bell and Mitchell, son of Hon. George Bell, who asked him about the buying of the members.

Witness had denied any knowledge of it, but Bell produced a list of the members and mentioned the names of Ens, Pierce and Sheppard, and, among other things, said, "If you men have any money, why don't you put it into the campaign fund at the buildings? The members get their election funds from there."

A SUCCESSFUL COMBINATION

The Peterson-Pierce combination being so successful, "Little Herbie," as the member for Wadena was familiarly called, thought he would try it again in 1915; for, in the meantime, the demand for restrictive liquor legislation had grown stronger. In January of that year Pierce called on Brunner at the Metropole hotel and told him that some drastic liquor legislation would be introduced during the session. For this reason it would be well for the liquor men to get some person to look after their interests; and if this was done he was sure that the proposed legislation could be defeated. Pierce said that he would undertake the foregoing work if he were given \$500 for travelling expenses; later on, however, more money would be required. Brunner stood off "Herbie," and discussed the matter with Grant Waddell, expressing the opinion that it was another hold-up. The two of them called on Pierce in his room, where he made a proposition similar to that made to Brunner. Two weeks later Peterson came along with a similar proposal, saying that his little friend who was, of course, "Herbie," would look after matters. He asked Brunner to make out a cheque for \$1,000, but this the latter refused to do, and Peterson had to go without it.

PIERCE'S FAMOUS LIST

It was during the January interview with Brunner that Pierce produced his now famous list of members of the Assembly, in which they were marked "X" or "O.K." "O" or "No Good," "?" or "Doubtful," accordingly as they were respectively favorable or unfavorable to the liquor interests. Twenty Liberals were marked "O.K." fifteen were "no good," and twelve were "doubtful." All the opposition members were listed as "no good." What the markings "Y.Z." meant Brunner was not certain.

The list is as follows:

Constituency	Member	Mark
Arm River	G. A. Scott	x z
Athabasca	J. Nolin	x z s
Battleford	S. Simpson	? o s
N. Battleford	Finlayson	? o
Biggar	Cawthorpe	x o s
Cannington	Stewart	o o
Canora	Robertson	x x
Cumberland	W. C. McKay (crossed out and name "Hill" substituted)	x x
Eagle Creek	G. Harris	o o s
Estevan	Ggo. Bell	? o
Francis	Robinson	o o
Gull Lake	Lochead	x x
Hanley	J. MacNeil (name of Malcomb written in pencil above)	? ? s
Humboldt	A. Turgeon	x x
Kerrobert	G. Watson	x ? o s
Kindersley	Motherwell	o o
Kinistino	Devline	x x
Last Mountain	Latta	? o s
Lloydminster	J. P. Lyle	x x
Quill Plains	Paulson	o o s
Redberry	G. Langley	o o
Saltcoats	J. Calder	o o
Saskatoon City	A. McNab	x x ?
Saskatoon County	Sutherland	? o
Shellbrook	Donaldson	? o
Souris	Forsythe	o o s
Swift Current	W. Scott	o o
Thunder Creek	Beaudreau	x x s
Touchwood	Atkinson	? ? s
Tramping Creek	J. Scott	x o s
Vonda	Totzke	x x
Wadena	H. Pierce	x x
Willow Bunch	Davidson	o o
Yorkton	T. Garry	? ? y
Lumsden	H. Tate	o o
Maple Creek	D. Wylie	o o
Melfort	C. Johnston	o o
Milestone	B. Larson	x s ?
Moose Jaw City	Willoughby	o o
Moose Jaw County	Sheppard	x x
Moose Mountain	R. McGee	o o
Moosomin	Smith	? o
Morse	N. Leitch	? o
Pelly	J. Johnson	o o s
Pheasant Hills	Cunningham	o o
Pinto Creek	S. Moore	x x
Pipestone	R. Phin	? o
Prince Albert	Bradshaw	o o
Qu'Appelle, N.	J. McDonald (name crossed out and "Gardner" written in in pencil)	o o
Qu'Appelle, S.	G. Langley (name crossed out and "Jos. Glenn" written in in pencil)	o o
Regina City	J. F. Bole	x x
Rosetown	C. Mark	o o s
Rosthern	G. Ens (written above in pencil name of "Bashford"))	? o

TRIED TO HEAD OFF INVESTIGATION

No government ever fought harder against an investigation than did the Scott government. When Mr. Bradshaw first made his charges and moved for a Royal Commission of enquiry, he was subjected to contumely and insult unexampled in the history of a Canadian legislature. Forty-seven Liberal members lashed themselves into a fury, hurling insults and defiance across the floor of the House against the half dozen members of the Opposition. With a fine sense of the melo-dramatic, member after member on the government side got up and yelled across the floor, "Is it? Is it? Is it?"

In this act of hypocrisy, "Sam" Moore led off, the very man condemned on two counts by the Brown-Elwood Commission, to whom Mr. Bradshaw replied, "If the cap fits you, wear it." Then there was "Sid" Simpson, to whom, Brunner swore, he saw Peterson hand a roll of bank notes with the remark, "Here's a Christmas box, Sid." There was also the Rev. M. L. Leitch, of Morse, whose teams, it was afterwards discovered, had been working for the government on the roads in his constituency, in violation of the independence of parliament. He made a most pathetic plea, complaining that if a general charge rested over his head it would be impossible for him to occupy his pulpit. Of the ministers, Hon. Mr. Calder and Hon. Mr. Turgeon were most vehement in their denunciation of the Opposition.

Why this fierce resentment against an effort to get at the truth? Because the members sitting on the government side, which includes those within the Cabinet as well as those without, knew that the charges were all too true. They did not desire the facts to come out, knowing that the disclosures would ruin the government.

SOME DESPERATE SHUFFLING

Note the desperate manœuvring to head off an investigation. First, the government took exception to the charges on the ground that they did not contain the names of the members. So far was this objection carried that Speaker Sheppard was induced to rule the Bradshaw motion out of order. No wonder. He was one of those subsequently directly named as having received a bribe; he was afterwards reported against by the Brown-Elwood Commission for having levied blackmail on two liquor license holders, and finally compelled to resign his seat.

When the government found that it could not altogether head off an enquiry it then decided to make it as restricted as possible. Instead of granting a Royal Commission, it referred the charges to a Select Committee of the House, on which, having a majority, it could control. Naturally the members of the Opposition would have nothing to do with it. They wanted a thoroughly impartial investigation by Supreme Court judges, and in making this demand they were unquestionably right. Eventually the government had to accede to the demand for a Royal Commission; for the public was solidly behind the Opposition. But before it did so a number of the most prominent Liberals in Regina had to put a pistol to the government's head and demand a commission. These included J. A. Allan, G. H. Barr, L. T. McDonald, R. H. Williams, Robert Sinton, J. F. Frame, Colin Fraser, James Balfour, Robert Martin, G. S. Gamble and Dr. Gorrell. The public also will remember Mr. Barr's scathing denunciation of the government contained in a letter to the press published at that time.

During the investigation before the Select Committee, the government refused to grant Brunner immunity from prosecution, the purpose undoubtedly being to terrorize him and thus keep his mouth shut. That the government dare not prosecute him in any way was due to the undeniable fact that he told so straight a story, bore himself so well under the most gruelling cross-examination, and was corroborated by other witnesses, that it was impossible to find a loophole through which he might be got at.

PIERCE'S FORLORN HOPE

In the meantime Pierce, acting on his own behalf, and no doubt for other members implicated, had through threats done his best to prevent the disclosures. Before the Select Committee Brunner swore that on February 6th, 1916, a few days before Mr. Bradshaw made his charges, the member for Wadena called Brunner up to his room in the Clayton hotel and told him that, on the day previous, there had been a meeting of certain Liberal members of the House to discuss rumors to the effect that a Royal Commission was to be appointed to investigate the bribery charges. Pierce then said that even if anything were proven against any of the members, no political capital could be made out of it. He then went on to say that it had been decided to make serious charges against Grant Waddell, R. J. Barry, Bert Ancaster and Brunner, and to have them arrested for the purpose of destroying their credibility as witnesses should they give evidence when summoned to testify before the proposed Royal Commission. Pierce also told Brunner that a charge of procuring would be laid against him, which would mean five years in jail. Brunner only laughed at these threats. As a matter of fact, Waddell, Willson, Peterson, Dallas and Mead were arrested on a charge of conspiracy to bribe.

Threats had no effect. Mr. Bradshaw made his charges; investigations by the Select Committee and the Brown-Elwood Commission followed, with insistent demand on the part of the public for prosecutions. In the subsequent jury trials, Pierce was convicted and sentenced to eighteen months in jail, and a fine of \$500; as for Ens, at his first trial the jury disagreed, and at the second he was acquitted; in the case of Cawthorpe, the jury disagreed, and he is being tried again. Peterson was convicted on a charge of perjury.

CALDER KNEW OF IT

The bribing of the members in 1913 was not an affair known only to a few. It was such a common topic of conversation that it could not but reach the ears of the ministers. Brunner and Waddell both swore that during a conversation which they had with Mr. Calder at the Legislative Buildings in the early summer of 1915 the latter said that the government knew of what had been done in 1913, and that if they tried anything like that again they would get into trouble. Mr. Calder admitted that the interview took place, and that he may have made some general remarks of this nature; but he explained that he did not intend them to be taken in the sense that they were understood by Brunner. So his denial really amounts to this: he knew nothing of the actual paying over or receiving of money.

In this connection it will be interesting to read the testimony of Waddell and Calder. Waddell testified:

"Mr. Calder said, 'I want to warn you boys against any such tactics as were supposed to have happened in 1913,' and said, 'I have got information which leads me to believe that you are putting money into the Shellbrook election.' I said that we were not putting any money into the election. He said they were in possession of information regarding 1913 to put many men in jail, and that Keenleyside was making an investigation, and probably would come down to the government and ask for an investigation."

The following is also taken from Mr. Calder's evidence:

Q. Did you tell him that you knew all about the 1913 bribery?

A. I may have used those words, but in the sense that I knew what everyone else knows, that there had been a good deal of talk and rumor and a certain amount of suspicion, and I simply wanted Brunner and Waddell and everyone else to understand that if these rumors were well founded, and that if anything like that had occurred, they had better look out.

Q. When did you first get any information as to the claim that there was bribery in 1913?

A. I could not say. It must have been at least three months after the session rose.

Q. From what source did you first get your information about alleged bribery.

A. I do know how the matter first came to me in the shape of rumor.

Q. May you have used the words attributed to you by Brunner, that you knew all about the 1913 affair?

A. I may have, but not in the sense that he has given them in the evidence.

FROM THE BROWN-ELWOOD COMMISSION REPORT

"The evidence shows that in the month of December, 1913, large sums of money were withdrawn from the bank account of the Licensed Victuallers' Association for the purpose of being used to influence members of the Legislature in connection with the liquor legislation then under consideration.

"It appears that Clayton Peterson and Frank Brunner were the most active agents in the use of this money, although, undoubtedly, it was being so used to the knowledge and with the consent and approval of several members of the Licensed Victuallers' Association, more particularly might be mentioned R. G. Waddell, R. J. Barry and G. E. Sharpe."

Re C. W. Cawthorpe

"We are satisfied from the admissions which Cawthorpe made to Brunner and J. Sufferan at different times, and from the evidence generally, and find that Cawthorpe received from the Licensed Victuallers' Association, through Clayton Peterson, a large sum of money as a bribe in connection with the legislation in question."

Re H. C. Pierce

"We are satisfied from the statements made by Pierce to Barry, Brunner and Waddell, and the evidence generally, and find that Pierce not only received a large sum of money from the Licensed Victuallers' Association, through Clayton Peterson, as a bribe in connection with the said legislation, but also, that he, Pierce, allowed himself to be used as an active instrument to further the plans of the Licensed Victuallers' Association."

THE LIQUOR CHARGES

The methods by which the Liberal Government in Saskatchewan has financed its election campaigns, used the liquor license administration to strengthen itself in power; and how also private members in the Government following have profited through the liquor traffic, is well set forth in the report of the Brown-Elwood Commission, which investigated the Bradshaw charges.

The bribery charges, which resulted in the exposure of the manner in which a number of Liberal members were corrupted, were only one feature of the investigation. Mr. Bradshaw also charged that certain Liberal members had secured money from persons who had applied for liquor licenses on the understanding that they were to be granted; also that certain members, including those belonging to the Cabinet, had, in return for promised political support, stifled liquor prosecutions. Ex-Speaker Sheppard was found guilty on two counts, S. R. Moore on two; C. W. Cawthorpe on one, while in the case of J. F. Bole, ex member for Regina city, there was a disagreement. Commissioner Brown being against, and Commissioner Elwood for conviction. As a direct result, Ex-Speaker Sheppard, through the pressure of public opinion, was compelled to resign, and has since been rejected by the electors. Hon. A. P. McNab, however, still remains in the Cabinet.

FATTENED ON LIQUOR TRAFFIC

The evidence tendered before the Commission shows that Liberal members used the liquor traffic and the granting of licenses as a means to enrich themselves, pay their election expenses and levy blackmail generally for the Liberal machine. All over the province the hotelmen were held up in an unblushing manner. It was money or your life. Think of one of Premier Martin's election notes being met in this way! It was, and yet at one stage in his evidence, he said that he could not remember such a note, even though he had renewed it several times. And this is the man who is to purge the Liberal party of its corrupt elements.

In this dirty business, C. W. Cawthorpe also appears, which is not surprising, seeing that both the Select Committee of the Assembly and the Brown-Elwood Commission found that he had been bribed. In this case he agreed, for \$100, to stifle a liquor prosecution. This is a small sum, and suggests that he was probably in sore need of money, and that to him no pickings were too small.

SPEAKER SHEPPARD'S CONDUCT

Then there was Speaker Sheppard, who presided over the deliberations of the Assembly all last session while these charges were under consideration. The public then marvelled that he had the audacity to do so, seeing he was named, but after reading his evidence his callousness is quite explained. Sheppard and a pal got \$1,700 from two licensees, a part of which found its way into a bank account under his own name. The rest is supposed to have gone to the Moose Jaw Liberal Association. However, the public has dealt with him.

"Sam" Moore who, when the charges were made was the first to demand "Is it I?" was reported against on two charges. The story of the deals in which he appeared, reads like a "Get-Rich-Quick Wallingford" story, and is one of the clearest possible examples of a man using his position as a member of the Legislature, to feather his own nest.

Hon. A. P. McNab does not seem to have made any money out of the licensees; but Commissioner Elwood finds that a liquor license prosecution against Dr. Robertson of Alask, was stopped after the latter had given Mr. McNab an assurance of political support. Nice work this for a minister of the Crown. Still the Old Guard, with the old ways, rules at Regina, McNab retaining his place in the Cabinet. The Ethiopian cannot change his skin, nor the leopard his spots.

THE BOOMERANGS

In connection with these charges it is also to be remembered that the government, working principally through Hon. Mr. Calder, tried to offset their effect by accusing Hon. Robert Rogers of having made an attempt to use them as a lever to call off the prosecutions against the ex-ministers in Manitoba. It will be remembered also that Premier Scott sent a long telegram to Sir Wilfrid Laurier at Ottawa asking him to bring Mr. Calder's allegations to the attention of Parliament, and that the Liberal chieftain absolutely refused to take any notice of them. Nothing more was ever heard of this yarn.

But Pierce, who had failed to effect anything through threats against Brunner, thought to produce a counter sensation by a story to the effect that the Conservatives, in conjunction with the liquor interests, were raising a \$500,000 fund to defeat the government's liquor policy, and that several members had been approached. This was referred to the Brown-Elwood Commission; but the latter in the following, reported that there was nothing in the charge:

The evidence offered that some suggestions were made as to the possibility of influencing members of the Legislature against the government's proposed liquor policy, by the use of money. Such evidence, however, falls short of establishing that there was any conspiracy as alleged, or at all, or that any attempts were actually made to bribe any such members.

THE BOLE CASE AND THE MARTIN NOTE

Among the charges referred to in the Brown-Elwood Commission was the following:

"That J. F. Bole, in 1913, then a member of the Legislative Assembly, received money from George Velle Company, an applicant for a liquor license, for the purpose of securing such license."

In this case the Commissioners disagreed. Commissioner Elwood reported against Bole; Commissioner Brown found that while the Velle Company paid \$1,650 to P. M. Anderson, Hon. J. A. Calder's brother-in-law, and that the Martin-Bole-Kerr note was paid by a portion of this amount, still he did not find that Bole was a party to obtaining money from the Velle Company. Bole, be it remembered, is one of the Liberal stalwarts in Saskatchewan. Elected in 1905, as member for Regina, he retained his seat in the Legislature until June, 1915, when he resigned to become the head of the Dispensary System. At the time of his resignation, he was deputy-speaker and a candidate for cabinet honors.

This case is important, not only because Commissioner Elwood found the charge against J. F. Bole proved; but because it shows the methods through which Premier Martin met one of his election expense notes. Moreover, it is to be observed that Mr. Martin swore that he could not recollect the note. In this case E. A. Rosen of Moose Jaw tried, over the long-distance telephone, to induce Mr. and Mrs. Hillman of Winnipeg not to give evidence. He was prosecuted and convicted for tampering with witnesses; but he escaped punishment through the quashing of the verdict on the ground that the Brown-Elwood Commission could not delegate to another power to take evidence in Manitoba.

Both Commissioners having found that the George Velle Company paid over the money, and since it was applied to the Martin-Bole-Kerr note, the natural question is—Has restitution been made? Have Martin and Bole given back any portion of the money?

THE PREMIER'S NOTE

In this affair one of the principal features was the Martin-Bole-Kerr election note. This note was produced before the Brown-Elwood Commission from the Sterling Bank of Canada, as follows:

\$1,506.60.

February 27, 1915.

Three months after date we jointly and severally promise to pay to the Sterling Bank of Canada, \$1,506.60.

Signed

W. M. MARTIN

J. F. BOLE

L. V. KERR

The evidence showed that this note, which was largely for Dominion election expenses, had been running since 1908 for \$800, and in 1911 was increased to \$2,000. It was renewed twice after February 27th, 1913, and paid on August 28th, 1913, by a payment of \$1,548.35.

In his evidence before the commission at Winnipeg, Manager Steiffel of the Velle Company, said that he went to Mr. Anderson, Mr. Calder's brother-in-law, to see him about getting a license, and that Anderson said: "You understand, Mr. Steiffel, any firm that gets this license must be a pretty good Grit." Steiffel said, "We can possibly be as 'good Grits' in Saskatchewan as we were Tories in Manitoba. Any time the government wish a little assistance in connection with their campaign fund, I don't think they will find us wanting." Steiffel further swore that on August 26th, 1913, Anderson came to his office in Winnipeg and stated that now was the opportune time for him to come through, if he felt disposed. Steiffel said that if the amount was not too high, all right. Anderson said, "It will take \$1,650," and added that he would like Steiffel to put that matter through. In consequence of this conversation, Steiffel, on the same day, cashed a cheque of the Velle Company on the Dominion Bank, Winnipeg, for \$1,650, and he says he paid the \$1,650 to Anderson. The cheque was produced as an exhibit at the hearing.

Anderson absolutely denied the receipt of this sum, or any sum other than the regular fee, in the connection with the obtaining of a license, and denied any proposition concerning payment of money, or any request for money.

THE HILLMANS' EVIDENCE

A. M. Hillman and his wife, later of Winnipeg, and then of Regina, who also testified, swore, in effect, that the evening before the license was granted to the Velle Company, they met Bole at the corner of Eleventh Avenue and Hamilton Street in the city of Regina, and that Hillman asked Bole what was to be the outcome of that license matter, and that Bole said: "Our liquor people have had a chance of getting it, and that the party who would give the money was going to get the license." Bole denied this conversation, but admitted that Hillman once or twice saw him and tried to get him to prevent the Velle Company from getting a license. The Velle Company got a license on July 10th, 1913. In other words the people that "came through" got the license; those who refused to "come through" were unsuccessful. This was a matter in which money talked.

Mr. Martin cut a very sorry figure in the investigation, as the following from his evidence shows:

A. I have no recollection of being on any note with Mr. Bole, Mr. Kerr or Mr. Robinson.

Q. You have not been on any note with Mr. Bole since 1911?

A. Not that I remember of, since a good many years ago.

Q. Since 1911?

A. Yes, I will say since 1911, to the best of my recollection.

HON. McNAB AND LIQUOR PROSECUTIONS

Hon. A. P. McNab's marshalling of the liquor forces in Saskatoon is well known, and the evidence in the Robertson case proves that his authority, in some cases, extended even to the western boundary of the province. The charge is as follows:

"That in September, 1912, Hon. A. P. McNab was a party to having charges against one William Robertson, of Alsask, withdrawn in consideration of a promise of political support."

In their findings in this case Commissioners Brown and Elwood disagreed, the latter reporting against him. The circumstances are as follows:

William Robertson was the proprietor of a licensed hotel at Alsask, Saskatchewan, and during December, 1912, there were laid against him three charges for violation of the Liquor License Act. All three were set for hearing for January 7th, 1913. On January 5th, 1913, C. A. Mahoney, chief of the provincial police, sent a telegram to the officer commanding the R.N.W. M.P. at Alsask that these charges had been withdrawn by order of the attorney-general, and Mahoney also, on the same date, sent to A. W. Richardson, J.P., at Kindersley, a telegram that the attorney-general had instructed him to withdraw the charges, and a similar telegram was also sent by Mahoney to one Lynch, a witness. On the ninth of January, 1913, Mahoney reported to the attorney-general that he had withdrawn these three charges against Robertson. Robertson came to Regina and saw the attorney-general and his own member, Mr. Motherwell, but apparently got little encouragement. He then saw Mr. McNab, minister of public works. Robertson swore that McNab told him that all license holders had to be supporters of the government. Robertson further swore that McNab called up on the telephone to Mahoney and that in the ensuing conversation McNab asked Mahoney to withdraw the case, and that, as a result of it, McNab turned to him and told him to go home and to remember what he had promised, and that he subsequently learned that the cases had been withdrawn.

Mr. McNab in his evidence said that he had been informed, by some person in the hotel that Robertson wished to see him; that he had Robertson sent up to his room; that they had a conversation there; that Robertson told him that he was being persecuted, and further told him about the prosecutions; that he rang up Mahoney and that the latter, or whoever answered the phone, said that the charges had been withdrawn.

In his finding, Commissioner Elwood said: "It will be noted that the interview with Mr. McNab was after Robertson had seen the attorney-general, and this fact lends additional strength to the view that Robertson, prior to this interview, had no hope of intervention. What, then, caused the prosecutions to be withdrawn? I am quite unable to find any explanation other than that they were withdrawn as the result of the interview between McNab and Robertson."

CAWTHORPE CAUGHT AGAIN

The charge against the member for Biggar is as follows:

"That in 1914, C. W. Cawthorpe received \$100 from John Markling, a liquor licensee of Biggar, in consideration of stifling an alleged complaint against him."

"Or, in the alternative, the said Cawthorpe obtained from the said Markling the said \$100 under circumstances amounting to an obtaining of money under false pretences."

The evidence shows that Markling was the proprietor of an hotel at Biggar, and in or about the month of February, 1914, C. W. Cawthorpe, the member in the Legislature for that district, called upon Markling at his hotel and informed him that "spotters" were on his track and that it would be necessary for him (Markling) to give Cawthorpe money, if he wanted his protection.

Markling, after some hesitation, offered to give Cawthorpe \$100, and this was eventually accepted by Cawthorpe with an intimation that more would be expected later. It does not appear that Cawthorpe made any effort to stifle any prosecution or complaint. If he did, he was not successful. The evidence shows that two charges were laid against Markling, apparently very shortly after this, and they were fully proceeded with and in one case a conviction and fine followed.

The Commission's finding is as follows:

"We find that Cawthorpe received from Markling \$100 in cash under the aforesaid circumstances, and that he appropriated the same to his own use."

PUTTING THE "CAP" ON "SAM" MOORE

A perusal of the following statement of "Sam" Moore's activities shows that "the cap fit him" all right. The first charge read:

"That S. R. Moore received \$500 from J. Kennedy, an applicant for a liquor license, for the purpose of securing said license."

In September, 1913, one Joseph Kennedy was desirous of building a hotel at Shaunavon, but learned that there was already a concern at that place which also intended to build a hotel. He was directed to go to Swift Current to see Mr. Moore, the member for Pinto Creek. At Swift Current he was introduced to Moore by one Berger. Moore said to Kennedy: "What is the proposition?" Kennedy stated that he wanted a hotel at Shaunavon; that there were other people on the ground, and that he wanted to know from Moore, as member, if it was a safe proposition to undertake to build a hotel. Moore said that they, namely, the Frontier Hotel Company—in which he was interested—were going to build a hotel there. It was, however, subsequently arranged that the Frontier Hotel Company should not construct any hotel, that Kennedy should construct his, and, if he secured the first license, he should pay the Frontier Hotel Company \$10,000, and if he secured the second license, he should pay \$5,000. The Frontier Hotel Company had been incorporated, the incorporators being Berger, Moore and one Maher, who each subscribed for fifty shares of stock. No stock certificates were ever issued. Nothing was ever paid on the stock; the Company had no assets, nor did it ever build a hotel.

In their finding the Commissioners say: "We find that at the times of the various conversations with Kennedy, Moore and his associates, while leading Kennedy to believe that they were going to build a hotel, did not intend to build one; that the promise of Kennedy to pay \$10,000 or \$5,000 was made on the assumption that Moore and his associates intended to build a hotel, and for the purpose of having them withdraw, and of obtaining Moore's influence to secure a license for Kennedy. Subsequently Kennedy completed his hotel and got his license, and some time later handed to Moore a cheque for \$500 in favor of the Frontier Hotel Company, which, apparently was subsequently divided between the members of the Company, Moore getting his share."

JOSEPH KENNEDY'S EVIDENCE

The following is taken from Kennedy's evidence in this case:

A. "The agreement was finally settled that I was to pay \$10,000 if I got the first license, and \$5,000 if I got the second."

"I started construction as fast as I could, and paid another visit to Swift Current. This time I explained to Mr. Moore and Mr. Berger that it was an impossibility for me to get my building finished as quickly as the other parties, as their work was going ahead very rapidly. On this particular occasion he became quite confidential with me and said, 'We can fix up some little things to delay the man on that inspection.' He suggested that I get a bottle of bugs and scatter them in the principal rooms, and the inspector would find them when he came to inspect the hotel, and the license would be held up and delayed."

Q.—"That was the Hoben and Keefe hotel?"

A.—"Yes. I never gave the matter and thought, and felt quite insulted to think that he would suspect he of being a character that would stoop so low."

"SAM" MOORE CASE No. 2

Charge No. 13:

"That S. R. Moore in 1913 received three notes for \$1,500, and afterwards money in payment on the notes from Nagi Haddad of Kincaid, an applicant for a liquor license, for the purpose of securing said license."

The Commissioners reported against Moore.

The facts of this case, as found by the Commissioners, are shortly as follows: That in May, 1913, two parties, Crippes and Haddad, started to build hotels at Kincaid. Crippes went to Swift Current to try to get financial assistance. He interviewed Moore, who introduced him to one Berger, and the result was that Berger secured an option on the hotel from Crippes, but nothing was ever done towards completing it. Haddad swears that in July he saw Moore, who told him that the incorporation of the village of Kincaid, which previously was a hamlet, had been stopped, and said, "You thought you could slip it over me." Haddad then went down to talk the matter over, at Moore's request, with Berger. Berger wanted \$300 to withdraw, and they eventually agreed to take \$1,500 on Moore's guaranteeing to Haddad a license. Three notes for \$500 each were taken, payable to Berger, and Haddad subsequently paid \$300 on these notes. Moore went with Haddad to Regina, and the following day the village was incorporated and Haddad got his license.

MOORE STRONGLY CONDEMNED

On this evidence the Commissioners made the following finding: "We have no hesitation in finding that there never was any intention of Berger, or anyone associated with him, of going on with the construction of the hotel. Nothing was paid for the option, and, in our opinion, was merely held for the purpose of trying to get something from some person, either for the property, or, as was done in this case, for a rival applicant for a license."

"While we are not satisfied that Moore was financially interested in the notes that were thus given, it is clear that he, with full knowledge of the facts, gave every assistance to Berger in the planning and the carrying out of the scheme, and for that reason he is, in our opinion, equally culpable."

SHEPPARD DOWN AND OUT

Sheppard had no regard for the dignity of the Speakership; indeed he seems to have been content to get the coin from hotelmen by almost any methods, as the two following charges show:

"That in 1913 J. A. Sheppard received \$700 from H. H. Mead of Moose Jaw on behalf of an applicant for a liquor license for a hotel at Limerick, Saskatchewan, for the purpose of securing a license."

In 1913 one Ben Marshall built a hotel at Limerick. Through the agency of the Saskatchewan Hotel Properties, Ltd., he sold the hotel to Delaney and Baumbach, on the condition that a license would be granted. There was some uncertainty about the license, there being another hotel under construction in this village, and, owing to the small population, only one license would, under the Act, be available. So it was a condition of the sale that in the event of the license not being secured, the deal would fall through.

H. H. Mead of the Saskatchewan Hotel Properties, Ltd., interviewed Sheppard as member for Moose Jaw County, about the matter, and the latter, through Mead, gave the interested party to understand that whoever got the license would have to contribute \$1,000 to the party campaign fund. It was arranged with Marshall that he should stand one-half of this expense, namely \$500, and the Saskatchewan Hotel Properties, Ltd., would pay the balance.

Delaney and Baumbach got a license in the regular way. Sheppard received from Mead \$700 of the \$1,000 promised. This was paid subsequent to the granting of the license, \$300 being paid in December, 1913, and \$400 early in 1914. Of this amount Sheppard paid \$200 to J. D. Simpson, Secretary of the Moose Jaw Liberal Association, the other \$500 being deposited by Sheppard in his own name in Hitchcock & McCulloch's bank at Moose Jaw. In their finding the Commissioners say:

"We find that prior to the granting of the license, Sheppard gave the interested parties to understand that it would be necessary to contribute \$1,000 to the party campaign fund, in order to secure the license, and that on this understanding the interested parties undertook to contribute the said sum and that subsequent to the granting of the license the \$700 was paid to Sheppard pursuant to such undertaking."

Excerpts from Sheppard's evidence:

Q. These moneys you got for organization purposes. What became of them?

A. Out of the first \$300, \$200 was expended through Simpson and the man we had employed at the time, and the balance was paid into Hitchcock & McCulloch's bank and is there today.

Q. In whose account?

A. In my account.

Q. You swear this is the money you got from Mead?

A. Yes.

Q. Deposited in your account, J. A. Sheppard, in savings account?

A. In a savings account.

Q. Simpson was secretary of the party?

A. Yes.

Q. And had charge of the money there?

A. Yes, he was treasurer at that time. I did not know how the account was standing.

SHEPPARD CAUGHT AGAIN

The following is another charge made against the ex-Speaker:

"That J. A. Sheppard received money during May, 1914, at Moose Jaw from Joseph Bernhardt and Antoine Bernhardt now of Winnipeg, applicants for a liquor license, for the purpose of securing such a license."

In this case, which related to the Windsor hotel in Moose Jaw, it was proved that the Bernhardts paid \$1,000, in accordance with an arrangement with Messrs. Sheppard and Simpson, the amounts being paid as follows: \$200 in May, 1914; \$250 in about three weeks; \$250 in about one month later, and \$300 towards the end of December. Simpson and Sheppard said that this was for campaign funds.

All of Simpson's and Sheppard's bank books were produced, according to their sworn testimony. One book of Simpson's showed details of receipts and expenses of his political work, but no bank book, or any other book showed the receipt of this \$1,000. Where did this money go to? When Joe Bernhardt saw that he was up against it, and had to come through, he tried to make as good terms as possible, and offered \$500; but nothing less than \$1,000 would do. Messrs. Sheppard and Simpson would not take a cheque, but had to have the money in cash. Antoine Bernhardt, who brought the \$200 up to the room where Sheppard, Simpson and his brother Joe were talking, was not allowed in, and had to hand the money through a crack in the door, in order, of course, that he might not see who got it.

Bradshaw
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